

US MAGISTRATE JUDGE CHERYL L. POLLAK

DATE: 12/20/17

TIME SPENT: _____

DOCKET NO. 17 CV 5617

CASE: Stewart v Portfolio Recovery

_____ INITIAL CONFERENCE	_____ OTHER/STATUS CONFERENCE
_____ DISCOVERY CONFERENCE	_____ FINAL/PRETRIAL CONFERENCE
_____ SETTLEMENT CONFERENCE	_____ TELEPHONE CONFERENCE
_____ MOTION HEARING	_____ ORAL ARGUMENT

MANDATORY DISCLOSURE :

_____ COMPLETED _____ DATE TO BE COMPLETED BY _____

FOR PLAINTIFF: _____

FOR DEFENDANT: _____

_____ DISCOVERY TO BE COMPLETED BY _____

_____ NEXT CONFERENCE SCHEDULED FOR _____

_____ DUNTON ISSUE ADDRESSED _____

PL. TO SERVE DEF. BY: _____

DEF. TO SERVE PL. BY: _____

RULINGS:

*Discovery schedule set - see attached
If cases are consolidated, discovery dates
will be set by the MJ assigned
to the cases*

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

JAMES STEWART, *on behalf of himself and
all others similarly situated,*

Plaintiff,

-v-

PORTFOLIO RECOVERY ASSOCIATES,
LLC,

Defendant.

**INITIAL CASE MANAGEMENT AND
SCHEDULING ORDER**

Case No.: 2:17-cv-05617-DLI-CLP

CHERYL L. POLLAK, Magistrate Judge:

I. DEADLINES AND COURT APPEARANCES

Deadline for completion of initial disclosures required by Rule 26(a):	[December 18, 2017]
First request for production of documents and first request for interrogatories due by:	[January 19, 2018]
Responses to first request for production of documents and first set of interrogatories due by:	[February 19, 2018]
Deadline for joinder of additional parties and amendment of pleadings:	[February 26, 2018]
<u>Status Conference:</u>	[TBD by Court] at [TBD.]
All discovery, including production of all expert reports, if any, to be completed by:	[July 23, 2018]
Dispositive motion process started by:	[August 6, 2018]
Joint pretrial order due by:	[December 3, 2018]
<u>Pretrial Conference:</u>	[TBD] at [TBD]

II. CHECKLIST FOR THE COURT

A. Initial Disclosures: Counsel confirm that the Initial Disclosures have been served:

Plaintiff:

Defendant:

☐ Yes ☒ No

☐ Yes ☒ No

B. Stipulation and Order of Confidentiality: Counsel confirm that they have consulted in good faith regarding the need for such an order:

☒ Yes ☐ No

Based on that consultation, counsel find that a Stipulation and Order of Confidentiality is:

☒ Needed ☐ Not needed

C. Electronically Stored Information (“ESI”): Counsel confirm that they have met and conferred regarding the existence of any relevant ESI on both sides:

☒ Yes ☐ No

The parties have had some preliminary discussion about the type of ESI which is in their clients’ respective possession or control and how they wish to have such ESI produced:

☒ Yes ☐ No

Based on those discussions, counsel are advising the Court that the relevant ESI consists of:

1. Account documents for Plaintiff, James Stewart; including
 - a. Defendant’s internal account documents for Plaintiff;
 - b. Documents Defendant received from the original creditor;
2. Communications between the parties.

D. HIPAA Release Authorizations: Counsel confirm that such authorizations for this case are:

☐ Needed

☒ Not Needed